

UNITED STATES OF AMERICA : **CRIMINAL NO.**_____

v. : **DATE FILED:** _____

HENRY BARTON : **VIOLATION: 21 U.S.C. §§ 331(k),**
: **333(a)(1) (causing the misbranding of**
: **drugs- 1 count)**

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At times material to this Information:

1. Defendant HENRY BARTON was a retired pharmacist licensed to practice pharmacy by the Commonwealth of Pennsylvania.
2. Defendant HENRY BARTON received prescription drugs from various unlawful sources including pharmacists and unlicensed distributors.
3. Defendant HENRY BARTON delivered or caused to be delivered hundreds of non-controlled prescription drugs, none of which were properly labeled, to another pharmacist known to the United States Attorney. The prescription drugs were to be placed into the pharmacy's inventory causing them to be misbranded, that is, the correct lot number and the expiration dates for the drugs did not appear on the label of the bottle from which the drugs were to be dispensed by the pharmacist.

4. From on or about November 2003 through December 2003, in the Eastern District of Pennsylvania, and elsewhere, defendant

HENRY BARTON

knowingly and unlawfully caused the repackaging of hundreds of non-controlled prescription drugs while such drugs were held for sale after shipment in interstate commerce, thereby resulting in the drugs being misbranded within the meaning of Title 21, United States Code, Section 352(a), in that the labeling was false and misleading because it contained an incorrect lot number and expiration date.

In violation of Title 21, United States Code, Sections 331(k) and 333(a)(1).

PATRICK L. MEEHAN
UNITED STATES ATTORNEY